

INSTRUCTION NO. [6-332(a)]

[Issues in Theft of Identity]

To convict the Defendant of the charge of theft of identity, the State must prove the following elements:

1. That the Defendant purposely or knowingly obtained personal identifying information of _____;
2. That the Defendant used such identifying information for any unlawful purpose, including to obtain or attempt to obtain [credit] [goods] [services] [financial information] [medical information];
3. That the Defendant obtained such identifying information in the name of _____ without [his] [her] consent.

If you find from your consideration of the evidence that all of these elements have been proved beyond a reasonable doubt, then you should find the Defendant guilty.

If, on the other hand, you find from your consideration of the evidence that any of these elements has not been proved beyond a reasonable doubt then you should find the Defendant not guilty.

GIVEN: _____
District Judge

Source: MCJI 6-332(a)

Plaintiff's Proposed Instruction No. _____ Defendant's Proposed Instruction No. _____

Given as Instruction No. _____ Refused _____ Withdrawn _____ By _____

[Issues in Theft of Identity. Source and Comments]

SOURCE: MCA § 45-6-332 (2001).

COMMENT: Cite as MCJI 6-332(a).

Use only the applicable words and phrases. Delete that which is not applicable.